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IMPLEMENTATION OF THE INTERNATIONAL CONVENTION ON THE SUPPRESSION AND PUNISHMENT OF THE CRIME OF APARTHEID

Report of the Group of Three established under the Convention

Chairperson/Rapporteur: Mrs. Collette Samoya (Burundi)

I. INTRODUCTION

1. The International Convention on the Suppression and Punishment of the Crime of Apartheid, which was adopted by the General Assembly in resolution 3068 (XXVIII) of 30 November 1973, entered into force on 18 July 1976, on the thirtieth day after the deposit with the Secretary-General of the United Nations of the twentieth instrument of ratification or accession. As at 31 December 1992, there were 95 States parties to the Convention (see E/CN.4/1993/52, annex).

2. Under article VII of the Convention, the States parties undertake to submit periodic reports to the Group established under article IX on the legislative, judicial, administrative or other measures that they have adopted and that give effect to the provisions of the Convention.

3. In accordance with article IX of the Convention, the Chairman of the Commission on Human Rights is authorized to appoint a group consisting of three members of the Commission, who are also representatives of States parties to the Convention, to consider reports submitted by States parties in accordance with article VII. The group may meet for a period of not more than five days, either before the opening or after the closing of the session of the Commission, to consider the reports submitted in accordance with article VII.

4. In accordance with article IX of the Convention and General Assembly resolution 31/80 of 13 December 1976, the Chairman of the Commission appointed the representatives of Burundi, the Russian Federation and Venezuela as members of the Group.

5. By its resolution 1991/10 of 22 February 1991, the Commission decided, inter alia, that the Group of Three appointed by the Commission in accordance with article IX of the Convention should meet for a period of not more than five days before the forty-ninth session of the Commission to consider the reports submitted by States parties in accordance with article VII; commended those States parties that had submitted their reports and called upon those that had not yet done so to submit their reports as soon as possible; recommended once again that States parties should take full account of the general guidelines laid down by the Group in 1978 for the submission of reports (see E/CN.4/1286, annex); and requested the Group of Three to continue, in the light of the views expressed by States parties to the Convention, the examination of the extent and the nature of the responsibility of transnational corporations for the continued existence of the system of apartheid in South Africa, including legal action that might be taken under the Convention against transnational corporations whose operations in South Africa came under the crime of apartheid, and to report to the Commission at its forty-ninth session.

II. ORGANIZATION OF THE SESSION

A. Attendance

6. The Group held its fifteenth (1993) session at the United Nations Office at Geneva from 25 to 29 January 1993. The session was opened by the representative of the Secretary-General. The membership of the Group was as follows:

Burundi:	Mrs. Collette Samoya
Russian Federation:	Mr. Serguey Kossenko
Venezuela:	Mrs. María Esperanza Ruesta de Furter

B. Election of officers

7. At its meeting held on 25 January 1993, the Group elected Mrs. Collette Samoya as Chairperson/Rapporteur.

C. Agenda

8. At its meeting held on 25 January 1993, the Group considered the provisional agenda (E/CN.4/AC.33/1993/L.1) submitted by the Secretary-General, and adopted the following agenda of its 1993 session:

"1. Opening of the session by the representative of the Secretary-General

2. Election of officers

3. Adoption of the agenda

4. Consideration of reports submitted by States parties under article VII of the Convention

5. Consideration of the actions of transnational corporations which operate in South Africa in accordance with Commission resolution 1991/10

6. Report of the Group to the Commission on Human Rights."

III. CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE VII OF THE CONVENTION

9. The Group had before it the following documents: (a) a note by the Secretary-General (E/CN.4/1993/52) concerning the status of the Convention and the submission of reports by States parties under article VII of the Convention and (b) reports submitted since the forty-seventh session of the Commission on Human Rights by Algeria (E/CN.4/1993/52/Add.1), Senegal (E/CN.4/1993/52/Add.2), Colombia (E/CN.4/1993/52/Add.3), Tunisia (E/CN.4/1993/52/Add.4), Venezuela (E/CN.4/1993/52/Add.5), Mexico (E/CN.4/1993/52/Add.6) and the Union of Soviet Socialist Republics (E/CN.4/1993/52/Add.7).

10. The Group undertook the examination of each report in the presence of the representatives of the reporting States who had been invited to attend the meetings of the Group in accordance with the recommendations made by the Group at its 1979 and subsequent sessions. Consideration of the report of the Union of Soviet Socialist Republics was postponed at the request of the Russian Federation, which indicated its intention to submit a new report.

Senegal

11. The second periodic report of Senegal (E/CN.4/1993/52/Add.2) was introduced by the representative of the State party, who pointed out that Senegal had been one of the first States to cease all relations with South Africa. Senegal had abided by the decision of the United Nations to impose sanctions on South Africa, even though that country had been, before independence, one of Senegal's major trading partners. Since then, Senegal had always lent its support, in the United Nations and in other international forums, to the cause of assisting the victims of apartheid and national liberation movements in South Africa. In the area of sports, Senegal had noted the decision of the International Olympic Committee to allow the participation of multiracial teams from South Africa in international athletic events. However, Senegal maintained sanctions against the racist regime of South Africa in all other areas including trade and military cooperation. With regard to the prevention of apartheid within its own territory, Senegal had taken a number of steps to prohibit all forms of discrimination and to ensure the protection of human rights and fundamental freedoms. It was a party to numerous international human rights instruments and had incorporated the provision of these instruments, including those of the International Convention on the Suppression and Punishment of the Crime of Apartheid, into its domestic law so that they could be directly applied in the courts;

amendments to the Constitution and to the Penal Code had been introduced for that purpose. Senegal had also taken many steps to disseminate information on those instruments and was actively promoting awareness of them among the general public through the media as well as in schools.

12. The Group took note of the second periodic report of Senegal and expressed its appreciation to the representative of the reporting State for the extensive additional information he had provided. Members of the Group noted that countries like Senegal had made significant economic sacrifices in order to comply with the sanctions imposed by the United Nations. That had demonstrated a deep commitment to supporting efforts by the United Nations to eradicate apartheid. Members of the Group also expressed their satisfaction at the measures Senegal had taken to promote human rights internationally and to protect them domestically. In the light of recent developments in South Africa members of the Group requested further information on the views of Senegal concerning the operations of transnational corporations. Members of the Group also asked for further details on the views of Senegal concerning constructive steps which might be taken to ensure the complete dismantling of the apartheid system.

13. Replying to the questions, the representative of the State party stressed the importance of making the general public, especially children and youth, more aware of the need to respect human rights. He noted that material on the evils of apartheid was included in school curricula. Senegal welcomed recent moves towards the dismantling of apartheid in South Africa, but urged caution regarding the premature relaxation of sanctions. It was important to maintain pressure on the racist regime so that progress could continue to be made towards a free and democratic South Africa. The representative noted that the frontline States in southern Africa had been severely affected politically and economically by their proximity to the apartheid system and therefore needed support. With regard to international cooperation, including the operations of transnational corporations, preparations should be made to assist the peoples of a new democratic South Africa and to restore the country's economic infrastructure.

Tunisia

14. The third periodic report of Tunisia (E.CN.4/1993/52/Add.4) was introduced by the representative of the State party, who said that Tunisia attached great importance to the protection of human rights and, in particular, the right of peoples to self-determination. When President Zine El Abidine Ben Ali had assumed the highest office on 7 November 1987, the existing legal system had been strengthened, thus consolidating the rule of law and individual and public freedoms and involving the country in an irreversible democratic process. The Government of Tunisia had always supported the struggle of the peoples of South Africa for the total eradication of all forms of racial discrimination. Tunisia had closely followed recent developments in South Africa, including progress towards constitutional reforms, the release of some political prisoners in October 1992 and the re-establishment of negotiations that had been interrupted by outbreaks of violence. In that respect, Tunisia had very recently reaffirmed its hope that a transitional government would be established soon in South Africa and political reform would be undertaken

aimed at creating a just and egalitarian society in that country. At the same time, Tunisia was concerned about the social and economic inequality in South Africa resulting from the many years of repression of the majority of the South African population. With regard to the prevention of racial discrimination within its own territory, Tunisia had taken the necessary legislative steps to ensure the equality of all its citizens before the law. In that connection, Tunisia attached great importance to its cultural heritage as a crossroads where different civilizations came into contact without any discrimination based on sex, language, race or religion.

15. The Group took note with satisfaction of the third periodic report of Tunisia and thanked the delegation of the State party for the additional information provided in its introduction of the report. Members of the Group noted that many measures taken by the Government to prevent racial discrimination in Tunisia and the strong stand it had adopted in favour of the elimination of apartheid. In the light of recent developments, members of the Group wished to have more information on the views of Tunisia about the process of democratization in South Africa and, in particular, about the role of transnational corporations in facilitating economic and social development once a new democratic government had been established. Members of the Group also wished to have further details on how non-discrimination on the grounds of religion was ensured and on the functioning of the Tunisian League for Human Rights.

16. In reply to those questions, the representative of the State party said that his country was ready to take part in the economic and social development of South Africa once a new democratic government had been established in that country. With respect to discrimination based on religion, article 6 of the Constitution guaranteed freedom of conscience and religion. In Tunisia, Islam, which was the State religion, Christianity and Judaism coexisted in peace. The independence of the Tunisian League for Human Rights was safeguarded by law and by the fact that it operated on a voluntary basis. With regard to political prisoners, the representative of the State party said that there were no prisoners of conscience in Tunisia.

Algeria

17. The third periodic report of Algeria (E/CN.4/1993/52/Add.1) was introduced by the representative of the State party, who noted that his country had always supported the struggle of other peoples for self-determination and had, in particular, maintained a strong stand against apartheid. In that respect, Algeria had taken part in the drafting of a number of instruments and resolutions of the United Nations against apartheid. It maintained no relations of any kind with South Africa. On the contrary, it had been a land of asylum for freedom fighters and a source of solidarity for their struggle against the last vestiges of colonialism in southern Africa. With regard to domestic legislation, it had taken the necessary steps to prevent the development of apartheid-like racist practices in its own territory. Concerning recent developments in the situation in South Africa, the Algerian Government had noted that violence in that country was preventing the achievement of further progress on the dismantling of the apartheid system. Algeria rejected the view that such violence was solely the result of friction between various ethnic groups in South Africa. It was also of the

opinion that the lifting of sanctions against the racist regime of South Africa was premature and that a number of steps still needed to be taken, particularly with regard to the establishment of a transitional government of national unity.

18. The Group took note with satisfaction of the third periodic report of Algeria, which was very clear and concise, and expressed its appreciation for the active role which the State party had played in combating apartheid. Noting that sanctions in force against South Africa could be lifted only with the creation of institutional mechanisms establishing democracy in that country, members of the Group wished to have further details of the views of the State party on how pressure might most effectively be brought to bear to promote further change in South Africa. Members also wished to know how recent changes had affected the decisions of the State party on the participation of South African athletic teams in international sporting events.

19. Replying to the questions, the representative of the State party said that the present embargo was the result of decisions taken by the Security Council. The ban on the participation of South African athletic teams had been lifted following the decision of the International Olympic Committee to allow multiracial South African teams to take part in the Olympics. That decision had been supported by national liberation movements in South Africa and, in particular, by Mr. Nelson Mandela. Sanctions relating to trade and, in particular, military assistance and arms, were still in force and would be fully respected by his Government.

Venezuela

20. The second periodic report of Venezuela (E/CN.4/1993/52/Add.5) was introduced by the representative of the State party, who expressed his country's hope that cooperation rather than confrontation would be the basis for a new South Africa where peace and justice would prevail. Venezuela had always closely followed the question of apartheid and had demonstrated its support for the struggle to eradicate that scourge, which was an affront to mankind. Venezuela had taken an active approach to the promotion and protection of fundamental human rights in South Africa and fully supported the sanctions imposed on that country by the United Nations. In that regard, Venezuela expressed the hope that the international community would continue its efforts until a new non-racial democratic South Africa had been established. Venezuela did not maintain any relations with the racist regime of South Africa and did not grant bank credits to that country. Venezuela had also contributed to a number of trust funds designed to help the victims of apartheid and combat racism in South Africa. As to the prevention of apartheid-like practices, many legislative and other steps had been taken in Venezuela to guarantee non-discrimination and respect for other human rights. Venezuela had ratified most of the international human rights instruments, whose provisions were to a large extent, the basis for the relevant legislation in force in the country.

21. The Group expressed its appreciation for the second periodic report of Venezuela and the important additional information provided by the representative. Members of the Group noted the serious approach of Venezuela

with regard to ensuring that human rights instruments were implemented in that country. With regard to the dismantling of apartheid, members of the Group wished to have further information on the views of Venezuela on the process of building new legal and political institutions in a new democratic South Africa and on the types of assistance that might be envisaged for that purpose. Concerning efforts to prevent the occurrence of apartheid-like practices in Venezuela, members of the Group wished to have further information on ways and means of implementing measures to guarantee equal access to education by the different ethnic groups of which the population was composed.

22. Replying to the questions, the representative of the State party explained that the population of Venezuela was multiracial and that the Government attached great importance to providing free education for all sectors of Venezuelan society. With regard to developments in the situation in South Africa, cooperation with a new democratic government might be foreseen, but it would depend entirely on the complete dismantling of the apartheid system and the enactment of a new constitution providing for a multiracial democratic order. Until such a new order had been established, Venezuela would continue relentlessly to maintain pressure for positive change, as required by the resolutions of the Security Council.

Colombia

23. The initial report of Colombia (E/CN.4/1993/52/Add.3) was introduced by the representative of the State party, who drew attention to her country's willingness to cooperate with the United Nations in its efforts to combat apartheid and to support United Nations decisions to eliminate that new form of colonialism. Colombia had always demonstrated it solidarity with the peoples of southern Africa who had suffered from the apartheid system. It was implementing the many resolutions which the Security Council, the General Assembly, the Commission on Human Rights and the Sub-Commission on Prevention of Discrimination and Protection of Minorities had adopted in that regard. With respect to recent developments in South Africa, her Government had noted that the first steps had been taken to dismantle apartheid in South Africa, but that much more needed to be done before the elimination of the racist system was complete. Concerning measures to prevent discriminatory practices based on race, the Government of Colombia had adopted a wide range of legislative and other initiatives aimed at eliminating discrimination against its indigenous populations. The protection of their rights had been enshrined in the Constitution and mechanisms had been established aimed at empowering the indigenous peoples to exercise effective control over their own lands. A number of reforms also had been introduced to protect the linguistic heritage of the indigenous peoples and to ensure the continuation of their culture.

24. The Group took note with satisfaction of the initial report of Colombia and expressed its gratitude to the representative of the State party for the valuable information she had provided on the situation in Colombia and on the position of her Government with respect to international efforts aimed at eliminating apartheid in South Africa. Members of the Group wished to know whether the provisions of the Convention and other human rights instruments had been incorporated into domestic legislation in Colombia. Members also

wished to have further information on arrangements providing for self-government by the indigenous population in Colombia and how bilingual education was ensured in actual practice.

25. Replying to the questions, the representative of the State party explained that measures had been taken to incorporate the provisions of all the human rights instruments to which Colombia was a party into domestic legislation. That of course, included the International Convention on the Suppression and Punishment of the Crime of Apartheid. With regard to indigenous populations in Colombia, the Constitution established the autonomy of the indigenous peoples over their territories and guaranteed them a role in the administration of these territories, including matters relating to the administration of justice. There were at present some 87 different linguistic groups in the country and a number of programmes had been developed to consolidate and protect those indigenous languages, including efforts to provide basic education in those languages. In that connection, the Constitution recognized indigenous languages as the official languages of the communities in which they were spoken. The protection of indigenous peoples had also been strengthened by a number of innovative institutional arrangements, including the establishment of an inter-ministerial committee on indigenous affairs within the Ministry of the Interior.

Mexico

26. The third periodic report of Mexico (E/CN.4/1993/52/Add.6) was introduced by the representative of the State party, who pointed out that her country attached great importance to its obligations under the various international human rights instruments to which it was a party. In that regard, she stressed that, as a result of Mexico's historical experience, there was no institutionalization of discriminatory practices based on race. Mexican society was multiethnic. In addition, many positive steps had been taken to improve the status of indigenous peoples in Mexico. Concerning the situation in South Africa, the Government of Mexico had followed recent developments with great interest and had consequently endorsed the General Assembly resolutions aimed at encouraging the international community to support the process in that country, taking into account the positive steps taken by the South African authorities. In that context and giving careful and constant consideration to the events in South Africa, the Government of Mexico had begun to reformulate its policy, in accordance with the interests of the various parties concerned, in order to start negotiations within the framework of the meetings of the Convention for a Democratic South Africa (CODESA) for the establishment of a non-racist and democratic transitional government. Consequently, Mexico, like many other Member States of the United Nations including the African States, had decided gradually to adopt more flexible measures in order to normalize its relations with South Africa.

27. The Group took note with satisfaction of the valuable information provided in third periodic report of Mexico and by the representative of the State party in her introduction. The members of the Group noted that Mexico took seriously its obligations under the Convention and other human rights instruments to which it was a party. In the light of the need to maintain pressure for positive change in South Africa, the members of the Committee requested further information on the views of Mexico on the partial

restoration of some cultural, sporting and educational links with the present South African regime. With respect to measures to amend domestic legislation aimed at implementing the provisions of the Convention relating to non-discrimination, the members of the Committee wished to have further information on the shortcomings which had led to the adoption of the amendments.

28. Replying to the questions, the representative of the State party pointed out that, in the process of the normalization of relations with South Africa, Mexico had responded favourably to the wishes of the black majority in that country by allowing exchanges of people, athletes and cultural events involving South Africa and the rest of the world. Developments in South Africa were being kept under review in order to promote as constructively as possible the changes taking place in that country. With regard to the protection of the rights of indigenous peoples in Mexico, the Government attached great importance to language training for teachers in order to promote bilingualism and provide instruction in the indigenous languages. There were more than 50 different ethnic groups in Mexico and the Government had taken many measures aimed at preserving their cultural and linguistic heritage.

IV. CONSIDERATION OF THE ACTIONS OF TRANSNATIONAL CORPORATIONS WHICH OPERATE IN SOUTH AFRICA

29. In accordance with the request contained in Commission on Human Rights resolution 1991/10, the Group of Three continued to consider whether the actions of transnational corporations operating in South Africa came under the definition of the crime of apartheid and whether legal action could be taken against them under the Convention and, in the light of the views expressed so far by the States parties to the Convention considered the importance and role of transnational corporations in the continued existence of the system of apartheid in South Africa.

30. The Group noted with regret that only two States parties, Panama and Venezuela, had submitted their views at the 1993 session. The Group was of the opinion that the question required further consideration and that the views and information of all States parties to the Convention on the importance and role of transnational corporations in the persistence or not of the system of apartheid in South Africa would be useful. In that connection, the Group also took note of the views on that question of the State parties which had submitted their reports.

31. The Group noted that the principal United Nations organs, specialized agencies and international and non-governmental organizations had continued to draw the attention of the international community to the close link between the activities of transnational corporations operating in South Africa and the persistence or not of the racist regime in South Africa.

32. With reference to the views and information submitted, the Group noted that all States parties agreed that sanctions should be maintained against the apartheid regime, in accordance with Chapter VII of the Charter of the United Nations, and should not be relaxed, thus supporting the people of South Africa in its legitimate struggle for freedom and equality. The Group

expressed the hope that in view of the recent developments, new concrete measures aimed at the elimination of the apartheid policy of the Government of South Africa would be communicated to the Group in the future.

33. The Group once again recalled that the role played by transnational corporations in South Africa had been threefold: first, they exploited and depleted the natural resources of the country and denied the great majority of the population the opportunity to benefit from the economic development of the country; secondly, they exploited the cheap labour force of that region for the sole purpose of increasing their own profits, to the detriment of the majority of the population; and, thirdly, by operating in South Africa contrary to the resolutions of the United Nations, they strengthened the apartheid regime, helped to perpetuate the oppression of the African majority and enhanced the repression against those fighting for their independence.

34. With reference to Economic and Social Council resolution 1992/34, adopted on 30 July 1992, the Group reaffirmed that Governments, entrepreneurs and enterprises, including transnational corporations, which had respected the resolutions of the United Nations imposing sanctions on the racist Government of South Africa, had contributed to the erosion of the apartheid system. The Group acknowledged, in particular, the significant sacrifices which had been made by Governments supporting the sanctions. The Group warned against any premature relaxation of the trade and other restrictions imposed by the sanctions until a democratic and non-racial transitional Government had been installed.

V. CONCLUSIONS AND RECOMMENDATIONS

35. The Group of Three expressed its appreciation to the representatives of the reporting States for having attended its meetings and noted with satisfaction that all the reports considered by the Group at the current session had been introduced by representatives of the reporting States.

36. The Group commended the States parties which had submitted periodic reports and noted that seven States parties had submitted reports since the forty-seventh session of the Commission. Pointing out that, up to its 1993 session, it had considered 129 reports, the Group noted with concern that 38 States parties, as listed in document E/CN.4/1993/52, had not submitted any report and urged in particular those States parties which had not yet submitted their initial reports to do so as soon as possible. The Group further noted with great concern that, as at 31 December 1992, approximately 190 reports were overdue under the Convention and once again strongly urged the States parties concerned to fulfil their reporting obligations as required under article VII of the Convention. The Group urged the States parties concerned to expedite the submission of their overdue reports, as requested by the General Assembly in resolution 47/81.

37. The Group noted that the reports considered at its 1993 session had adequately followed the general guidelines regarding the form and contents of reports (E/CN.4/1286, annex).

38. The Group noted that seven States had acceded to the Convention since its 1991 session and that 95 States had become parties to the Convention.

Convinced that the ratification of, or accession to, the Convention on a universal basis and the implementation of its provisions were necessary for its effectiveness, the Group recommended once again to the Commission on Human Rights that it should urge all States which had not yet done so to ratify or to accede to the Convention without delay.

39. The Group called upon all States parties to the Convention to incorporate in their legislation provisions relating to the "crime of apartheid", including practices of racial segregation and discrimination in accordance with article II of the Convention, and to provide appropriate penalties in respect of persons guilty of the crime of apartheid, as stipulated in article IV (b) of the Convention. In that connection, the Group recalled the view which it had expressed earlier that consideration should be given to drawing up model legislation which would serve the States parties as a guide for the implementation of the provisions of the Convention. The Group appealed in that respect to the Commission on Human Rights to strengthen the advisory services of the Centre for Human Rights in order to enable it to assist States parties in the fulfilment of their obligations under the Convention.

40. The Group appealed once again to States parties, through the Commission on Human Rights, to strengthen their cooperation at the international level and to adopt legislative and administrative measures to implement fully and expeditiously, in accordance with the Charter of the United Nations, the decisions taken by the Security Council and other competent organs of the United Nations and its specialized agencies aimed at the prevention, suppression and punishment of the crime of apartheid, in accordance with article VI of the Convention.

41. The Group took note of Economic and Social Council resolution 1992/34, by which the Council welcomed the recent positive development in South Africa which enhanced the possibilities for the total eradication of apartheid in South Africa. In that regard, the Group joined the Council in inviting Governments, entrepreneurs and enterprises, including transnational corporations, to give their full and concerted support to the vulnerable and critical process now under way in South Africa, with a view to achieving the total eradication of the apartheid system and the establishment of a united non-racial and democratic South Africa. In addition, the Group endorsed the view expressed in paragraph 16 of General Assembly resolution 47/82, in which the General Assembly expressed its deep concern about actions by certain countries whose premature relaxation of existing measures against the South African regime, in flagrant violation of the United Nations consensus declaration, encouraged the regime to persist in its oppression of the Black majority with regard to their right to self-determination.

42. The Group took note of draft resolution II recommended to the Commission on Human Rights by the Sub-Commission on Prevention of Discrimination and Protection of Minorities (see E/CN.4/1993/2, pp. 3-4) and supported the recommendation that a report should be presented annually on the transition to democracy in South Africa.

43. The Group noted once again that the crime of apartheid was a form of genocide, similar in nature to Fascist and Nazi crimes and, as such, fell

under the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity. The Group recommended to the Commission on Human Rights that it should reflect that similarity in its respective resolutions and stress the fact that accession to the International Convention on the Suppression and Punishment of the Crime of Apartheid was a step towards the implementation of the Convention on the Prevention and Punishment of the Crime of Genocide.

44. Recalling in particular paragraph 3 of the General Assembly resolution 3068 (XXVIII), by which the Convention had been adopted, as well as General Assembly resolution 47/81, the Group once again drew the attention of United Nations organs, specialized agencies and international and national non-governmental organizations to the need to step up their activities in enhancing public awareness by denouncing the crimes committed by the racist regime of South Africa and to intensify their efforts, through appropriate channels, such as seminars and workshops, to disseminate information on the Convention and its implementation. In that connection, the Group also emphasized the importance of the role of the mass media.

45. The Group once again emphasized the importance of the role of measures to be taken in the field of teaching and education with a view to familiarizing the population with the evils of apartheid and ensuring fuller implementation of the Convention and invited the States parties to include information on those measures in their reports.

46. The Group continued to believe that the firm implementation of article V of the Convention, would help to strengthen the mechanisms for combating apartheid.

47. The Group reiterated its opinion that the assistance given to national liberation movements in South Africa should be strengthened and called upon the international community to contribute generously to such movements.

48. The Group wished to recommend to the Commission on Human Rights that, as long as the decisions of the United Nations to impose trade and other sanctions on the racist regime of South Africa remained in force, the Secretary-General should be requested to invite once again the States parties to the Convention which had not yet done so to express their views on the extent and the nature of the responsibility of transnational corporations for the continued existence of the system of apartheid in South Africa. The Secretary-General should also be requested to invite the States parties to the Convention, specialized agencies and non-governmental organizations to provide the Commission with relevant information on the types of crimes of apartheid, as described in article II of the Convention, committed by transnational corporations operating in South Africa.

49. While noting that some progress had been made in South Africa and that a dialogue had taken place between the South African authorities and the political leaders of the majority of the population, the Group reiterated its belief that the maintenance of comprehensive and mandatory sanctions as well as other forms of pressure against the racist regime in South Africa was an important effective means available to the international community for putting an end to the system of apartheid. The Group also considered that it would be

desirable to make serious efforts to bring an end to the policies and practices of apartheid of the Government of South Africa through negotiations based on the principle of justice and peace for all, as stated in the Declaration on Apartheid and its Destructive Consequences in Southern Africa, adopted unanimously by the sixteenth special session of the General Assembly on 14 December 1989 in resolution S-16/1.

VI. ADOPTION OF THE REPORT

50. At its meeting on 29 January 1993, the Group considered the draft report on the work of its 1993 session. The draft report, as revised during the discussion, was adopted unanimously.